

REMARKS

The following remarks are responsive to the October 28, 2004 Office Action.

In the Office Action, claims 1-4, 9 and 10 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,481,133 (DeSena). Claims 1, 3, 4, 6-11 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,774,542 (Casey et al.), and claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over DeSena in view of U.S. Patent No. 5,881,484 (Carroll). On January 18, 2005, the undersigned attorney and the Examiner held a telephone interview to discuss possible amendments to the claims that would overcome the cited prior art. The Applicant thanks the Examiner for his time and assistance during the interview.

Rejections Based upon DeSena

With respect to claims 1-4, 9 and 10, the Office Action contends that DeSena discloses a faceplate having a recess (see Figure 2) of a predetermined depth to accommodate a first label 82 and a label cover 90 attached to the recess, the label cover having a compartment to accommodate a second label 110.

Claim 3 has been canceled.

Claim 1, as amended, is directed to an identification labeling system that includes a faceplate having a recess and a label cover having a compartment, either one of which can accommodate a label. Furthermore, the label cover is attached flush with a surface of the faceplate. The information display system disclosed in DeSena does not have a label cover that is flush with a faceplate. Therefore, DeSena does not anticipate claims 1, 2, 4, 9 and 10, and the Applicant request that the Examiner withdraw the rejection of those claims under 35 U.S.C. § 102(b) and allow the claims to issue.

In regard to claim 5, the Examiner argues that such claim is obvious over DeSena in view of Carroll. For the reasons stated above, claim 1, as amended, is not obvious in view of DeSena and therefore the Applicant requests that the rejection of claim 5, which ultimately depends from claim 1, be withdrawn.

Rejections Based upon Casey et al.

Concerning claims 1, 3, 4, 6-11 and 13, the Office Action stated that Casey et al. discloses a faceplate having a recess of a predetermined depth. A label cover 102 is attached to the recess and includes a compartment 120 to accommodate a second label.

Claim 1, as amended, has both a faceplate and a label cover that are capable of accommodating a label. Casey et al. does not disclose such a system. Casey et al. discloses an apparatus that includes a faceplate 62 having a generally rectangular recess 72 of a predetermined depth, a rectangular label cover 102 having a thickness the same as the depth of the recess, and the label cover having a compartment 120 for retaining a label 66. As seen most clearly in Fig. 3, Casey et al. discloses an envelope-shaped pocket 125 that is used to retain a number plate 66. The envelope-shaped pocket is enclosed on all sides, therefore making it more difficult to remove or change the number plate or identification label retained inside.

In contrast to the substantially enclosed pocket taught by Casey et al., claim 1, as amended, requires that both the faceplate and a label cover be capable of accommodating a label. This feature is not taught, disclosed, or suggested by Casey et al., as the faceplate in Casey et al. is not capable of accommodating or retaining a label.

For this reason, the Applicant requests that the Examiner withdraw the rejections of claims 1, 4, 6-11 and 13 under 35 U.S.C. § 102(b) and allow the claims to issue.

New claims 14-20 have been added claiming that both the faceplate and label cover are capable of accommodating a label although a label is not required to be placed in each.

Objection to Drawings

The Examiner has objected to the drawings under 37 CFR § 1.83(a) stating that “the transparent faceplate located within the opening in the label cover” recited in claim 5, must be shown of the features canceled from the claim. Claim 5 has been amended to state that a transparent protective shield is located within the opening in the label cover. This is consistent with what is stated in paragraph [0043] of the specification where it says “[t]he label cover 10 is provided with a front protective shield 40 which is preferably either transparent or translucent” (emphasis added). Such a shield is shown in Figures 6, 7 and 8 of the drawings. For this reason, the Applicant requests that the Examiner withdraw his objection to the drawings.

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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